

## CIVIL DOCKET

**UNITED STATES DISTRICT COURT**

**Jury demand date:** 7-30-75, Pltf.

D. C. Form No. 106A Rev.

TITLE OF CASE				ATTORNEYS			
CHARLES HARRIS  v.  THE DRACKETT PRODUCTS CO. and SKAGGS-ALBERTSONS CORPORATION DRACKETT COMPANY AND DRACKETT, INC.				For plaintiff: 749-7771 Dale F. McDaniel, <del>Jim Khourie</del> 2626 E. 21st Tulsa, Okla. 74114			
				For defendant: Russell Holloway Chris Rhodes Page Dobson/ (Drackett Products Co.) Rhodes, Hieronymus, Holloway & Wilson 2411 First National Center Oklahoma City, Ok. 73102 (405-235-8593)  Donald Church 501 Philtower Building Tulsa, Oklahoma 74103 918 583-8156 (Skaggs Albertsons)			
STATISTICAL RECORD		COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 4-1-74		Clerk		3/28/74	McDaniel	1500	
				4-4-74	C. D. No.	39	15 00
J.S. 6 mailed 11-1-75		Marshal					
Basis of Action: Breach of Implied Warranty and Tort		Docket fee					
		Witness fees					
Action arose at:		Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
3/28/74	1. COMPLAINT filed, SUMMONS issued. jj	
4-5-74	Alias Summons issued. e <i>Notify Skaggs, Albertson, Inc.</i>	
4-24-74	SUMMONS, ret. & filed: served the Secy. of State, O.C. for The Drackett Products Co. Cincinnati, Ohio, 4-3-74; served The Corporation Company, O.C., 4-8-74, for Skaggs-Albertsons Properties, Inc.; summons issued 3-28-74 to Skaggs-Albertsons returned unserved at request of attorney. (USM \$9.72)g	
4-29-74	2. Answer of Skaggs-Albertsons Corporation, with Cross-claim incorporated, filed. ds	
5-8-74	3. INTERROGATORIES propounded to Drackett Products Co., filed. e	
5-8-74	4. Application for Permission to Issue Alias Summons, filed. e	
5-9-74	5. ANSWER of Drackett Products Co., filed. g	
5-14-74	6. Order, filed, giving pltf. permission to issue alias summons to Skaggs Companies, Inc., & Albertson's, Inc., d/b/a Skaggs-Albertson Properties, Inc., a co-partnership. (LB-J)hm (copies mailed)	
5-22-74	7. Deposition of Charles Harris, on behalf of defts, taken before Thomas G. Bloxom on 4-26-74, filed. e (\$136.50, pd. by Defts.)	
5-31-74	Marshal's return on service of alias summons, filed. Served Skaggs in Okla. City thru service agent on 5/28/74. rm (\$4.00 fee)	
5-31-74	Marshal's return on service of alias summons, filed. Served Albertson in Okla. City thru service agent on 5/28/74. rm (\$4.00 fee)	
5-31-74	Marshal's return on service of alias summons, filed. Served Skaggs-Albertson properties in Okla. City on 5/28/74. rm (\$4.00)	
6-12-74 <sup>8</sup>	Answers of Defendant the Drackett Products Co. to Interrogatories Propounded by Plaintiff, filed. lm	
6-13-74 <sup>9</sup>	Application of pltf. to join additional parties defendant and to amend complaint, filed. g	
6-17-74 <sup>10</sup>	Order (part of application), filed, permitting pltf. to join as additional parties deft. Drackett, Inc. and The Drackett Company; pltf. also allowed to amend complaint. (LB-J)hm (copies mailed)	
6-17-74 <sup>11</sup>	Amendment to complaint, filed. hm	
6-18-74	12. Order granting deft. Skaggs-Albertsons Corp. ext. of time to amend answer, filed, extending time for 10 days from this date. (LB-J)hm (copies mailed)	
6-24-74	13. Amendment to answer of Skaggs-Albertsons Corp. and cross-claim against The Drackett Products Co., Drackett, Inc. & The Drackett Co., filed. hm	
6-26-74	U.S. Marshals service returned and filed. Served summons upon Drackett, Inc. and Drackett Company thru Sec. of State of Okla. on 6-24-74 at Oklahoma City. (USM \$8.72)jj	

(Continued)

~~BOHANNON~~ COOK

## D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
	to Amended Complaint	
8-2-74	14. Ans/ of deft., The Drackett Company, filed. lm	
8-2-74	15. Ans.to Amended Complaint of deft, Drackett, Inc., filed. lm	
8-23-74	16. Answer of Drackett Products Co. to cross-claim of Skaggs-Albertsons, Corp., filed. g	
8-23-74	17. Answer of Drackett Co. to cross-claim of Skaggs-Albertsons Corp., filed. g	
8-23-74	18. Answer of Drackett, Inc. to cross-claim of Skaggs-Albertson Corp., filed. g	
9-6-74	Depositions of Thelma Harris, Claudia Harris & Charles W. Harris on behalf of Skaggs-Albertson, filed. g (\$111.00)	II
9-12-74	Case set for pre-trial hearing 9-20-74 at 9:30 a.m. (LB-J)hm	
9-20-74	19. MOTION for Summary Judgment, filed.jj (with brief)	
9-20-74	Case Called for pre-trial hearing. Parties represented. Statements made. Case stricken, to be reset for pre-trial after 60 days. Deft. to file motion for S/J. Pltf. given until after discovery complete, or within 60 days to file answer brief. (LB-J)hm	
10-18-74	20. Interrogatories to <u>The Drackett Company</u> , filed. v	
10-18-74	21. Interrogatories to <u>Drackett, Inc.</u> , filed. v	
10-18-74	22. Supplemental Interrogatories to Deft., <u>The Drackett Products Co.</u> , filed. v	
12-16-74	Hearing on motion for S/J of deft. Skaggs-Albertsons passed, to be reset after discovery complete and at request of parties. (LB-J)hm	
1-8-75	23. Order filed, transferring case to Judge Cook. (LB-J) ds	
2-28-75	24. Motion of Drackett Products Co. for summary judgment, filed. g	
2-28-75	25. Brief in support of mot. for S/J, filed. g	
2-28-75	MO: Ordered that pltf. & deft. Skaggs-Albertsons file responsive brief to motion for S/J within 10 days. (HDC-J)hm	
3-3-75	MO: Ordered that pltf. & deft. Skaggs-Albertsons are given an extension of time to file response to motion for S/J until 10 days after response to supplemental interrogatories heretofore filed by the deft. Skaggs-Albertsons. (HDC-J)hm	
3-6-75	26. Response of Skaggs-Albertsons to motion for S/J, filed. hm	
3-24-75	27. Appl. of pltf. for order compelling answers to interrogs., filed.g	
3-31-75	28. Answers to pltf's interrogs. by The Drackett Companies, filed. g	
3-31-75	MO: Ordered by the Court that the deft. Drackett Companies, having filed its answers to interrogatories, the plaintiff's applic. for order compelling answers to interrog. is now moot. (HDC-J)hm	

(over)

DATE	PROCEEDINGS	Date Order or Judgment Note
4-3-75	29. Combined RESPONSE to motions for summary judgment filed by Skaggs-Albertsons Corp. and the Drackett Products Co., The Drackett Co., and Drackett, Inc., filed. lm	
4-3-75	30. BRIEF in support of response to motions for S/J of the Drackett Products Co., The Drackett Co., Drackett, Inc., and Skaggs-Albertsons Corporation, filed. lm	
4-21-75	31. Memorandum and order, filed, overruling defts' motions for S/J. (HDC-J)hm (copies mailed)	
6-10-75	MO: Case set for pre-trial 7-7-75 at 3:15 p.m. (HDC-J)hm	
7-7-75	MO: Pre-trial hearing held. Statements made. Pltf. to file mo/produce TR clip. Additional PT to be set prior to trial & after discovery. Mr. Holloway to inform Court when his trial in Alaska concludes. (Possibly at end of August). Pltf. granted leave to file request for jury and Court to then rule. Case set for jury trial 10-28-75 at 10:00 a.m. (EST-2 days). Pltf. to prepare PT order within 10 days. (HDC-J)hm	
7-15-75	Reporter's Transcript of Proceedings had on 7-7-75, PT Conf., filed. <sup>file copy</sup> lm	
7-18-75	Reporter's Transcript of PT proceedings on 7-7-75 (original), filed. g	
7-29-75	32. Proposed pretrial order by pltf. & Deft. Skaggs, filed. hm	
7-29-75	33. Proposed pretrial order of defendants, filed. hm	
7-30-75	34 Pltf's request for jury trial, filed. g	
7-31-75	MO: Parties to file brief statement of difference in PT orders, setting out reasons therefor, within 10 days. (HDC-J)hm	
8-5-75	35. Statement of Difference of the Plaintiff, filed. mm	
8-5-75	36. Pre-trial order statement of difference of def/ <sup>Skaggs</sup> , filed. rm	
8-12-75	37. Letter, 8/7/75, to HDC from def. Drackett, re statement of difference of PT, filed.rm	
8-20-75	MO: Ordered that pltf's request for jury trial is hereby granted, and case to be tried to a jury as heretofore set on October 28, 1975. (HDC-J)hm	
10-14-75	38. Trial brief of pltf., filed. hm	
10-14-75	39. Pltf's requested instructions, filed. hm	
10-20-75	MO: Case stricken from jury assignment of 10-28-75 pending settlement. (HDC-J)hm (letter written)	
10-20-75	40. Defts. Drackett's proposed instructions and requested voir dire questions, filed.k	
10-30	41. Joint appl. for dismissal with prejudice, filed. rm	
10-30	42 Order of dismissal with prejudice, filed & entered. (HDC-J)gmld.	
1983[ 3-3	-- DEPOSITIONS returned to returned to deft counsel. hm	